

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DAVID FOX,

Plaintiff,

23 **CIVIL** 5042 (GWG)

-v-

JUDGMENT

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL SECURITY,

Defendant.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Stipulation and Order dated March 4, 2024, that the Commissioner's decision be, and hereby is, reversed and that this action be, and hereby is, remanded to the Commissioner of Social Security, pursuant to the fourth sentence of 42 U.S.C. § 405(g), for further administrative proceedings. Upon remand, the Commissioner will offer the plaintiff the opportunity for a new hearing and issue a new decision. See *Shalala v. Schaefer*, 509 U.S. 292 (1993).

Dated: New York, New York

March 4, 2024

**RUBY J. KRAJICK
Clerk of Court**

BY:



Deputy Clerk